

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH COBBS	:	CIVIL ACTION
	:	
v.	:	
	:	
TODD L. BUSKIRK, et al.	:	NO. 12-2965

ORDER

AND NOW, this 27th day of June, 2012, having considered plaintiff's motion to proceed in forma pauperis and his pro se complaint, it is ORDERED that:

1. Leave to proceed in forma pauperis is GRANTED pursuant to 28 U.S.C. § 1915.

2. Plaintiff, Joseph Cobbs, #472, shall pay the full filing fee of \$350 in installments. Based on the financial information provided by plaintiff, an initial partial filing fee of \$1.33 is assessed. The Warden or other appropriate official at the Northampton County Prison or at any other prison at which plaintiff may be incarcerated is directed to deduct \$1.33 from his inmate trust fund account when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 2609 U.S. Courthouse, Philadelphia, PA 19106, to be credited to Civil Action No. 12-2965. After the initial partial filing fee is collected and until the full filing fee is paid, the Warden or other appropriate official at the Northampton County Prison, or at any prison at which plaintiff may be incarcerated, shall

deduct from his account, each time that his inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 12-2965.

3. The complaint is DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons discussed in the Court's Memorandum. Plaintiff is given leave to file an amended complaint within thirty (30) days of the date of this Order. Upon the filing of an amendment, the Clerk shall not make service until so ORDERED by the Court. If plaintiff fails to file an amended complaint, his case will be DISMISSED with prejudice.

4. The Clerk shall furnish plaintiff with a blank copy of this Court's current standard form to be used by a prisoner filing an action under 42 U.S.C. § 1983 bearing the above-captioned civil action number.

5. The Clerk of Court is directed to send a copy of this order to the Warden of the Northampton County Prison.

BY THE COURT:


HARVEY BARTLE, III, J.